

Minutes of the Board of Adjustment meeting held on Monday, August 9, 2010, at 5:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Joyce McStotts, Chair
Jonathan Russell, Vice-Chair
Rosi Haidenthaller
Roger Ishino
Preston Olsen
Ray Christensen, Senior Planner
Tim Tingey, Community & Economic Development Director
G.L. Critchfield
Citizens

The Staff Review meeting was held from 5:15 to 5:30 p.m. The Board of Adjustment members briefly reviewed the applications. An audio recording is available for review in the Community & Economic Development office.

Ms. McStotts explained that variance requests are reviewed on their own merit and must be based on some type of hardship or unusual circumstance for the property and is based on state outlined criteria, and that financial issues are not considered a hardship.

APPROVAL OF MINUTES

Rosi Haidenthaller made a motion to approve the minutes from July 12, 2010 as written. Jonathan Russell seconded the motion.

A voice vote was made. The motion passed 5-0.

CONFLICT OF INTEREST

There were no conflicts of interest for this agenda.

CASE #1414 – CHRIST LUTHERAN CHURCH – 224 East 5600 South Project #10-181

JoLynn Nelson was the applicant present to represent this request. Tim Tingey reviewed the location and request for a 13-foot lot width variance to adjust the boundary of the existing legal nonconforming 67 foot wide lot. The applicant is proposing to adjust the boundary of the residential lot and combine the back part of the lot with the church building lot. The applicant, Christ Evangelical Lutheran Church, owns both the residential lot and the adjoining lot to the east with the church building. The zoning ordinance requires a minimum 80 foot lot width for the proposed adjusted lot configuration. The existing lot is approximately 67 feet wide and about 375 feet deep. Additionally, the lot with the dwelling will have the required 8,000 sq. ft. minimum lot area required for the R-1-8 zone. Murray City Code Section 17.100.050 states that the lot width measured at the 25 foot minimum front yard setback line for an interior lot must be at least 80 feet wide. There are other lots to the west in this area that have been subdivided with similar lot widths and the proposed lot will meet the minimum lot area standards of 8,000 square feet. Given the narrowness and the desire for the applicants to adjust the lot lines there is no allowance for this and therefore there is a hardship due to what it would do to the adjacent property. This property is unique particularly due to the narrow width and the 375 foot depth. Therefore, this request will adhere to the lot standards and is similar to other properties in the area. Based on review and analysis of the application material, subject site and surrounding area, and applicable Murray Municipal Code sections, the Community and Economic Development Staff finds that the

proposal meets the standards for a variance. Therefore, staff recommends approval with a condition that 1- The applicant must apply to Murray City for a lot line adjustment approval before recording the boundary change at Salt Lake County Recorder's Office.

Joyce McStotts asked if there is a time frame for the lot line adjustment if the variance is granted. Mr. Tingey responded there is no required time limit for the lot line adjustment. There is an approval process for the parking lot and property line adjustments at which time the property owners wish to proceed.

JoLynn Nelson, stated she is representing Christ Lutheran Church for this variance request.

No comments were made by the public.

Rosi Haidenthaller stated the lot is currently 365 feet in length and 67 feet wide and because the lot is a preexisting nonconforming lot with regards to the width, a variance is required in order to proceed with the lot line adjustment process. Mr. Tingey concurred.

Jonathan Russell made a motion to approve the variance as requested based on the presentation and information given that there is a hardship for the narrow lot width and large depth. The variance is granted subject to the applicant must apply to Murray City for a lot line adjustment approval before recording the boundary change at the Salt Lake County Recorder's Office. Seconded by Roger Ishino.

Call vote recorded by Tim Tingey.

A Ms. McStotts

A Mr. Olsen

A Mr. Ishino

A Mr. Russell

A Ms. Haidenthaller

Motion passed 5-0.

Rosi Haidenthaller made a motion to approve the Findings of Fact as outlined by staff. Seconded by Roger Ishino.

A voice vote was made. The motion passed 5-0.

Meeting adjourned.

Tim Tingey
Director of Community & Economic Development